



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,892	12/29/2000	Hartley C. Starkman	60709-00010	9047

7590 05/27/2005  
John S. Beulick  
Armstrong Teasdale LLP  
One Metropolitan Sq., Suite 2600  
St. Louis, MO 63102

EXAMINER
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FULTS, RICHARD C

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No.	Applicant(s)	
	09/751,892	STARKMAN, HARTLEY C.	
	Examiner	Art Unit	
	Hyung S. Sough	3628	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Hyung S. Sough. (3) \_\_\_\_.
- (2) Daniel M. Fitzgerald. (4) \_\_\_\_.

Date of Interview: 14 March 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_.

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Based on the evidence provided by Mr. Fitzgerald (see Remarks filed on 10/21/2004), necessary corrections for the case will be made, i.e., ADVISORY ACTION will be withdrawn, FINAL REJECTION dated 9/14/04 will be recorded as NON-FINAL REJECTION, and AMENDMENT filed on 10/21/2004 will be entered as amendment after non-final rejection. After these corrections, the case will be forwarded to the examiner of the record for further needed action.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's Signature, if required



## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

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**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

Date: March 14, 2005

Examiner: Sough : RE: U.S. Patent Application  
Art Unit: 3628 : Serial No.: 09/751,892  
Fax: (703) 746-8177 : Applicant: Hartley C. Starkman  
From: Daniel M. Fitzgerald : Atty. Dkt. No.: 60709-00010

**DOCUMENTS SUBMITTED WITH TRANSMISSION:**

Cover Sheet (1 pg.)  
Interview Summary (2 pgs.)

*Total pages including cover page: 3 pgs.*

*If all pages are not received, please contact: Gail Maloney at ext. 7458*

RE: The above referenced U.S. Patent Application  
FOR: DELIQUENCY-MOVING MATRICES FOR VISUALIZING LOAN COLLECTIONS  
FILED: December 29, 2000

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the above-referenced Documents are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (703) 746-8177 on the date shown below.

Date: March 14, 2005

  
Daniel M. Fitzgerald, Reg. No. 38,880

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60709-00010  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hartley C. Starkman

Art Unit: 3628

Serial No.: 09/751,892

Examiner: Richard Fults

Filed: December 29, 2000

For: DELINQUENCY-MOVING  
MATRICES FOR VISUALIZING  
LOAN COLLECTIONS

**INTERVIEW SUMMARY**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is a summary of an Examiner Interview conducted on March 14, 2005 between the undersigned and Supervisor Examiner Sough.


60709-00010  
PATENT**Remarks**

Applicant and the undersigned wish to express their appreciation to Supervisor Examiner Sough for the courtesies he extended during a telephone interview that occurred on March 14, 2005. During the interview, the Advisory Action dated March 11, 2005 was discussed. More specifically, the undersigned and the Examiner discussed the fact that the prior Office Action dated September 14, 2004 was actually a Non-Final Office Action and NOT a Final Office Action (see Remarks section from Response to September 14<sup>th</sup> Office Action), and therefore, the Advisory Action dated March 11, 2005 should not have been issued by the Patent Office.

Accordingly, Examiner Sough confirmed to the undersigned during the Examiner Interview that he has requested: (1) that the Finality of the September 14, 2004 Office Action be withdrawn; (2) that the Advisory Action dated March 11, 2005 be withdrawn; and (3) that the Office action dated September 14, 2004 be entered as a Non-Final Office Action. Examiner Sough further indicated that these steps should be completed by Monday, March 21, 2005, and that Examiner Sough would contact the undersigned to confirm that these steps have been completed.

Accordingly, it was agreed that Applicant need not file an RCE at this time; and that the Amendment filed on October 21, 2004 will be entered as an Amendment After Non-Final Office Action. Examiner Sough indicated that he would also file an Interview Summary memorializing our conversation.

Respectfully Submitted,



Daniel M. Fitzgerald  
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